

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

KATHY HANSEN)
)
v.) NO. 3-15-0880
) JUDGE CAMPBELL
METROPOLITAN LIFE)
INSURANCE CO.)

ORDER

Pending before the Court are a Report and Recommendation of the Magistrate Judge (Docket No. 30), Objections filed by the Plaintiff (Docket No. 31), and a Response filed by Defendant (Docket No. 32).

Pursuant to 28 U.S.C. § 636(b)(1), Fed. R. Civ. P. 72(b)(3) and Local Rule 72.03(b)(3), the Court has reviewed *de novo* the Report and Recommendation, the Objections, the Response, and the file. The Objections of the Plaintiff are overruled, and the Report and Recommendation is adopted and approved.

Plaintiff contends that the signing and dating of the enrollment form in this case was merely a procedural or ministerial function, a “technicality” of the law. To the contrary, the enrollment form specifically stated “The employee must sign in all cases. The person signing below acknowledges that they [sic] have read and understand the statements and declarations made in this enrollment form.” Thus, Mr. Hansen’s enrollment form, as originally submitted, was incomplete. As the letter returning the form to Mr. Hansen stated, further information was required before Defendant could process the form.

The cases cited by Plaintiff relate to “substantial compliance” with regard to changes of beneficiaries, not enrollment forms or determinations of eligibility of benefits. The Court will not extend the “substantial compliance” doctrine in direct conflict with the terms of the Plan and enrollment form in this case.

Accordingly, Plaintiff’s Motion for Judgment on the Administrative Record (Docket No. 22) is DENIED, and Defendant’s Motion for Judgment on the Administrative Record (Docket No. 24) is GRANTED. This action is DISMISSED, and the Clerk is directed to close the file. This Order shall constitute the final judgment in this case pursuant to Fed. R. Civ. P. 58.

IT IS SO ORDERED.


TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE